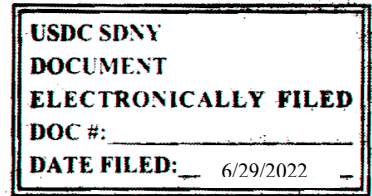


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
ARMANDO PASCUAL REYES,

Plaintiff,

21-CV-07040 (AT)(SN)

-against-

**SCHEDULING ORDER
FOR DAMAGES INQUEST**

COPPOLA'S TUSCAN GRILL, LLC, et al.,

Defendants.
-----X

SARAH NETBURN, United States Magistrate Judge:

On June 28, 2022, the Honorable Analisa Torres referred this case to my docket to conduct an inquest and to report and recommend concerning plaintiff's damages. It is now ORDERED that:

1. No later than 30 days after entry of this Order, the plaintiff shall file Proposed Findings of Fact and Conclusions of Law describing all claimed damages and any other monetary relief. The plaintiff should file this document, along with any accompanying exhibits and affidavits, to ECF under "Civil Events/Other Filings/Trial Documents." The plaintiff also shall serve a complete copy of their filing and a copy of this Order by mail to the defendants' last known addresses.

2. The plaintiff shall support the Findings of Fact and Conclusions of Law with affidavits and other documentary evidence. Each proposed finding of fact shall cite the evidence provided. The amount of damages shall be linked to specific claims of liability. Each allegation of liability shall cite the appropriate paragraph of the complaint.

3. In lieu of conclusions of law, the plaintiff shall submit a memorandum describing the legal basis for the damages claim and any claim for interest or attorney's fees.

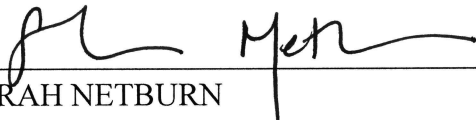
4. The defendants shall file any response no later than 30 days after service.

5. The Court hereby notifies the parties that it may conduct this inquest based solely upon the written submissions of the parties. See Action S.A. v. Marc Rich & Co., 951 F.2d 504, 508 (2d Cir. 1991); Fustok v. ContiCommodity Servs. Inc., 873 F.2d 38, 40 (2d Cir. 1989). Any party seeking an evidentiary hearing on damages must set forth reasons why the inquest should not be based upon the written submissions alone and include a description of what witnesses would be called to testify and the nature of the evidence that would be submitted.

6. A courtesy copy of any document filed with the Court shall be sent or delivered to the Court as required by the Individual Practices of Judge Netburn, paragraph III(b).

SO ORDERED.

DATED: June 29, 2022
New York, New York



SARAH NETBURN
United States Magistrate Judge